

Mon. Henry Clay. In State.

Western Carolinian.

Published, weekly, by PHILIP WHITE,
Publisher of the Law of the United States.

SALISBURY, N. C. TUESDAY, FEBRUARY 28, 1826.

[VOL. VI. NO. 299.]

TERMS.
The terms of the Western Carolinian are, \$3 per annum—or \$2 50, if paid in advance. No paper discontinued, (except at the option of the Editor) until all arrearages are paid. Advertisements will be inserted at fifty cents per square for the first insertion, and twenty-five cents for each subsequent one. All letters addressed to the Editor, must be post-paid, or they will not be attended to.

AMENDMENT OF THE CONSTITUTION.

IN THE SENATE OF THE UNITED STATES,
JANUARY 19, 1826.

Mr. BAYLOR, from the Select Committee, to which was referred the several resolutions proposing amendments to the Constitution of the United States, reported in part.

(Report concluded.)

Thus deeply impressed with the evils of consolidation,—and looking to the preservation of the State Governments as equally necessary to the well-being of their own citizens, and to the perpetuation of the general liberty, it cannot be supposed that the Committee have wittingly proposed any thing which tends to produce the evil which they deprecate with so much zeal and sincerity. Still, it is the opinion of some, that the rights of the States will be endangered by the adoption of the Committee's plan of amendment; the Committee think otherwise; here then, is a difference between those who have a common object in view, and to decide it, the points in issue must be fairly stated and candidly examined. These points are:

1st. The supposed diminution of power in the State, to choose between the legislative, the general ticket, and the district modes of election.

2d. In the supposed diminution of the power of the State in concentrating her strength in those elections.

3d. In the supposed tendency of the direct vote towards the consolidation of all the States.

These being the points of objection, the question is plainly presented, whether they amount, in reality, to any encroachment upon the rights of the States, or contain any of those tendencies towards consolidation which have been imputed to them. But, before proceeding to answer this question, it is necessary to fix precise ideas to several terms which are the very hinges of the question itself. "State Rights—Sovereignty of the States," are the terms referred to. By some, who use these terms, the General Assembly of the State is considered as the state itself, possessed of all its rights and sovereign powers; by others, the Executive officers of the State Government are held to be the state, and to have the possession, during their continuance in office, of the rights and sovereignty of the state; by others again, the Senators and Representatives in Congress from a State, are supposed to represent the sovereignty of the state itself; and to hold in their hands, for the time being, the same high rights and sovereign powers. All these opinions are held to be erroneous, and, without accumulating authorities and quotations, it may be laid down in brief and plain language, the qualified voters of a state, to the exclusion of the General Assembly, the Executive officers and the members of Congress, constitute the Sovereignty of the State, and hold its Rights in their hands. Who these qualified voters shall be, depends upon themselves, through their Representatives in Convention, or General Assembly, to say; but whosoever they may be, whether freeholders, householders, or holders of no property at all, they hold in their hands the rights and sovereignty of the state, and all the public officers are nothing more than their servants. The members of the General Assembly, the members of Congress, and the Executive officers, are nothing but agents for the real sovereigns, confined to the exercise of delegated powers: they become mere usurpers, if they presume to exercise the power of sovereignty. From these positions, it results, that these agents may lose a part of their powers, not only without diminishing the sovereignty of a State, but, in reality, to produce the effect of increasing that sovereignty by so much as is taken from the servants and restored to the masters. This is believed to be the exact case which is now presented for decision in the point of objection

first stated. The State Legislatures now possess the right to say, whether electors shall be chosen by districts, or by a general ticket; and some of them, without establishing a clear right, exercise the privilege of choosing the electors themselves. By the proposed amendment, it is admitted, as objected, that these several powers will be taken from the Legislature, and that a uniform mode of voting by districts will be substituted, which they cannot change. But, so far from admitting that the sovereignty of the state loses any thing by this operation, the direct reverse is maintained; the servants only being the losers, while the real sovereigns gain. For, it is not to be questioned, but that the district system gives the fairest play to every voter, and the fullest effect to every vote; nor can it be denied that it conforms to the intention of the present Constitution, which, in giving an independent vote to every elector, instead of a consolidated vote to the college of electors, governed by a majority, manifestly intended that each mass of citizens, entitled to choose one elector, should have the right of disposing of one vote according to their own sense of their own interest. It is a fact, of historical notoriety, that the general ticket plan of election has been adopted in some States for the avowed purpose of controlling this intention of the Constitution; and for the purpose of subjecting the weaker sections of the State to the policy of the stronger; thus giving, on a smaller scale, and in reference to counties and State divisions, an example of that tendency of the strong to oppress the weak, which is one of the main objections to the consolidation of these Confederate States.

The objection, that the establishment of a uniform mode of election by districts, will trench upon the rights of the States, cannot be admitted.—Uniformity, as such, cannot be an evil; and, if it was, the infliction of it could not be avoided by rejecting the Committee's plan of amendment. For, if uniformity by districts is not established by the free consent of the State, uniformity by general ticket or legislative ballot, must be imposed by necessity. For, when the large States consolidate their votes to overwhelm the small ones, those, in their turn, must concentrate their own strength to resist them. A few States may persevere for some time, in what they believe to be the fairest system; but, when they see the unity of action which others derive from the general ticket and legislative modes of election, they will not, and, with due regard to their own safety, they cannot, resist the temptation of following the same plan. Hence, uniformity will be imposed by necessity, if it is not adopted from choice, with this great difference, that the first uniformity will deliver up the votes of the State, to the active managers in the General Assemblies, while the latter would leave them in the hands of the real sovereigns, the qualified voters of the whole State. It can hardly be said that the States would have a choice, when the option would be between falling into the general ticket system, and submitting to a material diminution of their relative weight in the election. The question, then, turns upon the relative advantages of the general ticket and district modes of voting; one or the other of which must soon universally prevail; and it matters nothing to the sovereignty of the State, whether one shall be established by the Constitution, or the other imposed by necessity; and, as the whole point of this objection is confined to the mere right of choice, and of changing the systems from time to time, it results that this right can be of no value where choice is impossible, and change not desirable.

1. The second point in the objection is, the supposed diminution of the power of the State, in that tendency to scatter the votes which the district system is admitted to possess.

Admitting that a unity of its votes may be desirable to a State; that unity will be produced by the district system, as often as the state desires it. If the majorities in all the districts are of the same opinion, they will create

the unity by giving the same vote; if they are not, it is held to be a violation of the rights of so many districts as would have voted differently, to impress their votes into the service of the dominant party in the General Assembly of the State. In the general ticket mode of election, the vote of the State is directed by the majority of the State Legislature; the majority itself influenced by some leading members; and the tickets, thus arranged, is often made to triumph over the whole State, by the mere effect of discipline, and in open violation of the will of the actual sovereigns, the fair majority of the qualified voters. It is capable of demonstration, that the general ticket election, especially over a large surface, is often no election at all by the people. A small and organized body supply the place of numbers, by unity of design and energy of action. Want of concert in the body of the people, will render superior numbers of no avail. Division will destroy their strength, by scattering their votes; and anticipation of defeat will ensure it, by preventing numbers from going to the polls.

3. The last branch of the objection is in the supposed tendency to consolidation which is seen by some in the abolition of electors, and the substitution of the direct vote of the people. This is completely and fully answered in a foregoing part of this Report; to which it may be added, that, when analyzed, it turns out to be nothing more nor less than an old objection in a new form, to the district system itself. For the purposes of consolidation, it is perfectly immaterial whether the people vote by districts, in their own persons, or through the agency of electors; and, if this system is established, it is unknown to the Committee for what object the institution of electors can be supposed to be wanting.

Finally, there is a point of view from which to look at the several branches of all these objections, which exhibit them in the light of anomalous, if not very equivocal, pretensions to the character of state rights. It is this: that they present, as contending parties, not the Federal Government on one side, and the People of a State on the other, but the Legislature of a State against the People of the same State: the servants against their masters; the leading men against the mass; the few complaining that they will lose the privilege of controlling and directing the votes of the many!

The Committee have leased their plan of amendment upon the proposition, that the plan of the Constitution had failed in the election of President and Vice President of the United States. The points of failure were indicated in its two leading features—the institution of Electors and the ultimate election, by States, in the House of Representatives. That the first branch of this proposition has been fully demonstrated, and the best substitute proposed which the case admits of, is respectfully submitted to the decision of the Senate. The establishment of the second branch, and the demonstration of the fitness of the proposed substitute, remain to be attempted.

That it was the intention of the Constitution, in giving to the States, in the House of Representatives, an equality of votes for President, to increase the weight and respectability of the House, and to give to the small states a chance to act an efficient part in the election, is equally clear from the Constitution itself, and from all the contemporaneous expositions of that instrument. Upon these grounds the power in question has often been defended; but if the intention of the Constitution has failed; if the small states have not realized the chance which was intended for them; if the House of Representatives has derived no additional weight or respectability from acting as umpire between Presidential candidates; above all, if real evil, both to the House and to the people of the States, have been found to result from this contingent power of election; then there can be no reason for preserving a part of the Constitution which has failed of its object, and produces evil instead of good. The

Committee believe that this failure has been complete, and that the principles which should govern the election of a Chief Magistrate, in a free country, require that the choice of President of these United States should no longer be permitted to devolve upon the House of Representatives. These principles have been stated, and enforced, in the course of this Report. They spring from the dangers to which such elections are liable.—These dangers are—

1. Of corruption among the voters.
2. Of violence, in the heart of the elections.

3. Of coalitions, to elect or defeat a particular candidate. Opposed to these dangers are certain rules of action, ripened into axioms, to the test of which, every election, of a first officer of a Republic, should be brought. These axioms are—

To prevent corruption:

1. Multiply the voters.
2. Keep the candidates from among them.
3. Avoid pre-existing bodies of electors.

To prevent violence and avoid coalitions:

1. Separate the voters.

The plan of election in the Committee's amendment, both for the first and second election, has been brought to the test of each of these axioms, and found to abide them. The voters will consist of millions, and cannot be corrupted; they will be scattered over the territory of the whole confederation, and cannot hold an intercourse with the candidates; they will vote at several thousand different places, on the same hours of the same day, and can neither fight, nor coalesce; they are not a pre-existing body, in the sense of the objection, for that term only applies to small selected bodies.

Tried by the test of these axioms, the House of Representatives, as an electoral college, stands condemned upon every one of them.

1. It is a small body, therefore capable of being corrupted.

2. It is a pre-existing body, therefore capable of being tampered with.

3. It sits in the presence of the candidates, therefore is subject to be influenced by an intercourse with them.

4. It votes in a body, therefore is subject to violence, and capable of coalitions.

In addition to these objections, to which the House of Representatives is subject, in common with all small bodies, it is yet liable to others, peculiar to itself, as a legislative department, viz.

1. The anomaly of a Legislature creating the Executive.

2. The interruption of its regular business.

3. The introduction of a new test in elections of members.

4. The application of a new influence to these elections.

5. The creation of opposition and administration parties in Congress.

6. The effect of all this upon fair legislation.

7. The further effect of all this upon the minds of the people, the character of the government, and the stability of our republican institutions.

There is one point, however, in which the House of Representatives, as an electoral college, must forever be entitled to a preference over any other of equal numbers, which can be constituted: it is in the elevation of its character; in the talents which distinguish it, and the integrity which ennobles it, and which the pride, virtue, and intelligence of the people must be forever anxious to preserve and exalt.

The objections which have been stated against bringing the election into this House, are of such a character, in the opinion of the committee, as to merit the most serious consideration; and, when their weight and importance are duly estimated, it can hardly be believed that the framers of our constitution, if they could have foreseen the frequent occurrence of that event, would have consented to endanger the purity of our government, and the stability of our institutions, by consenting to carry the elec-

tion before that body, in any contingency whatsoever. It is obvious, from the whole theory and spirit of the constitution, that the President was intended to be chosen by electors fresh from the people, and that it was never contemplated that the election should devolve on the House of Representatives, except in an extraordinary and rare contingency. But, from an extension in territory, which could not have been foreseen, and an increase in wealth and population beyond all expectation, the pursuits of our citizens have become so diversified, and so many local interests have sprung up among them, that it is almost a vain hope that the election of President can ever again be effected on the first trial, whether the people vote direct, or through the agency of intermediate electors; and it seems to be no longer doubtful, that, under ordinary circumstances, the choice must, hereafter, devolve upon the House of Representatives. The provision of the constitution, intended only for an emergency, thus becoming one of ordinary application, and that which the wisdom of our fathers designed as the "medicine of the state," (to be resorted to only in a dangerous crisis) is to become "our daily bread."

In this view of the subject, it becomes a question, which addresses itself to the mind and heart of every lover of his country, whether Congress can be safely trusted with the choice of the Chief Magistrate of this great and growing Republic, not as an event, which in a series of years may happen; but which in the ordinary course of affairs must inevitably and frequently occur. The first objection, and the one which cannot fail to suggest itself to every mind, is the incompatible nature of the duties which belong to a Legislative Assembly and to an Electoral College. No principle ought, in the opinion of the committee, to be held more sacred, as none, certainly, is more plainly recognized in the whole structure of our government, than that which keeps the Executive and Legislative Departments separate and distinct. There seems, indeed, to be infused into the different branches of our Government, (doubtless for the wisest purposes) a jealous spirit, which, generously cherished and properly directed, may be fruitful of the greatest benefits. That the Legislature should elect the Executive, is an anomaly; it is altogether inconsistent with the most cherished principles of our system, and, in practice, may be found equally fatal to the purity of one branch of the Government, and the independence of the other.

The reference of this question, which will call into action the strongest, and some of the worst, passions of our nature, to a pre-existing body of men, assembled at the seat of Government, and, from their character and situation, brought into almost daily contact with the candidate, on whom they can confer the first office in the Republic, and who, in turn, can bestow upon them brilliant honors and rich rewards, must, from the very nature of things, expose them to the various influences, by which power and patronage have, in every age, seduced men from the path of duty, and tempted them to betray the most sacred trusts. When we take into view the great and increasing patronage of the Executive, and of the various Departments under his control, and perceive how completely it is in his power to cause the influence of his office to be felt, we must shut our eyes to the lights of wisdom and experience, if we do not perceive, that the period is not far distant, when the office of President will be conferred as the reward of open intrigue, and the deepest corruption. But it is not alone against acts of open and palpable corruption, that it becomes necessary to guard.—A body, even of high-minded men, ardently engaged in running the race of honorable ambition, will always be liable to be deluded by the fascinations of office; and, though they may not be seduced from their course by the treasures which may be thrown in their way, will be induced to swerve from their duty by temptations more congenial to honorable minds; and that rea-

dy causistry, by which politicians so easily deceive themselves, will furnish an apology for a course of conduct which, in private life, such men would scorn to pursue. But even if the danger of corruption in the House of Representatives was less alarming in its magnitude, and less certain in its occurrence, the Committee would still apprehend, that the preservation of the character both of the Legislature and the Executive, and securing to them that place in the public confidence and esteem, without which their strength will be but weakness, and their wisdom folly, would require that they should be far removed even from unjust suspicion. In a country like ours, governed by public opinion, it is of the last importance, that those who are appointed to make and execute the laws, and who must always give tone to our National character, should conciliate the confidence of the People, or at least stand before them unimpeached: That a successful candidate, exalted to the Chief Magistracy by the Members of Congress, should feel a deep sense of gratitude towards those to whom he is indebted for his elevation, is neither strange, nor the subject of just exception. In the distribution of the numerous offices within his gift, it would be impossible for him so to act otherwise than to exclude altogether from the range of his choice, men in all respects qualified for the highest offices, or to subject himself, however unjustly, to the imputation of being influenced by personal and unworthy motives.

But, if the election in the House of Representatives were liable to none of these objections, still, the interruption it will give to the calm and regular progress of legislation, would, itself, be an evil of the most alarming nature. The mixing up of party feeling, personal animosities, and local interests, with ordinary acts of legislation, would, unquestionably, be one of the greatest calamities to which the country could be exposed. Unless those who create the laws, like the judges who expound them, are from prejudice and passion, it is impossible that they can fulfil their high duties with purity and wisdom. That the acrimonious feelings, and bitter animosities excited, in a contested election, in the House of Representatives, would not subside at its close, but would, for a long course of time, exert an influence on the deliberations, and perhaps control the decisions, of the Legislature, by disturbing the tranquillity of its course, and tinging every legislative act with party views and feelings, is too certain to admit of a doubt. We may, indeed, tremble for the fate of the country, when Congress shall be degraded into a mere Electoral College, and the high duties of the Legislature shall be confided to the opposing factions, known only as the enemies of partisans of the Administration. But this is not all. The People themselves, in such a state of things, will be tempted to contribute to this evil, by sending men to represent them, on the eve of every Presidential election, not because of the depth of their knowledge, the soundness of their principles, or their peculiar fitness for legislation, but on account of their political opinions, in relation to the several candidates for the Presidency. Even after the election was over, the evil spirit of the time might continue to operate, and to demand the election of candidates who would be particularly devoted to the new Administration. That the Administration itself, should be insensible to the success of these candidates, is not to be expected from human nature. Wishes must be formed, and the knowledge, or even suspicion of these wishes, would bring an ardent and concentrated force to the support of the presumed favorite: on the other hand, all the elements of opposition would combine against him: merit would be out of the question; the public good no object; a degrading test would supersede all the recommendations of worth and talents; and even the elections of the State officers might be brought within the vortex of a system, so fatal to the interest of the country, and so full of degradation to the voters and the candidates.

In a government professedly founded upon the will of the people, that will, when known, should always be entitled to the most respectful consideration. Now, as far as the public will can be ascertained, it is decidedly opposed to the House of Representa-

tives, as an umpire, in the last resort, between the Presidential candidates. Yet, a second choice, by some body of electors, is inevitable; a majority, or even a large plurality, cannot be counted upon, in our subsequent elections. To whom, then, shall it be sent back? Who shall make the second election? We have seen that the House of Representatives is an unfit place, and that the people are against it. Will the present institution of electors do better; and shall they be retained for that purpose, in defiance of all the objections which lie against them? On the contrary, they will be subject to the main objections which apply against a pre-existing body; they will be, moreover, subject to the operation of all the undue influences which might be brought to bear upon the House of Representatives, without possessing the same pretensions to high character and public confidence. Then there is no better course, than to send it back to the people, with the single limitation, of confining their choice to the leading candidates.

Clear as the propriety of this course is to the mind of the committee, it is not free from objections in the minds of others. The first and most plausible of these objections, grows out of a concern for the rights of the small states, a material portion of whose power, it is apprehended, will be lost by taking from them their contingent faculty of electing the President, by States, in the House of Representatives. Before this objection can be admitted, it ought to be shewn that this privilege is actually possessed by the small states, under the present system. The committee believe that it is not; for they cannot admit that a privilege, personal to a member of Congress, can be treated as the privilege of the state which he represents. Now, it is notorious, that a large portion, if not a majority, of the representatives who have heretofore been called upon to vote for president in the House of Representatives, have given that vote according to the dictates of their own feelings and judgment. In this course they have held themselves justified on the ground, that, in giving their votes, they acted in the character of electors under the Constitution, and not in their representative capacity. It is also certain, that, as no means are provided for a distinct expression of the will of the state upon the subject, (as between the candidates who may finally be brought into competition,) it is manifest that the Representative may not know, or knowing, may feign ignorance of the opinion of the state, which he represents, even if he acknowledges an obligation to conform to it, when known. In many cases he certainly will be ignorant of it; in most, he must be without instructions; and, in all, he may disregard them. If, then, the privilege of voting for President, in the House of Representatives, is claimed and exercised by the member, as an elector under the Constitution, and not as a representative from his state; if the member, and not the state, exercises volition upon this point; if he denies the right of the state to direct his vote, or admits the right, and avoids the obligation; and, if the State has neither time nor means to manifest her will, or power to enforce it, or the right of vacating the vote after it is given; then, this boasted privilege may fairly be set down as belonging, practically, to the member, and not to the state from which he comes. The question which then presents itself, is one of conflicting claims to power, between an individual, on one side, and the state which he represents, on the other; between a member of Congress, in his seat, and the forty thousand persons who placed him there. Holding this to be the only question presented by the objection under consideration, the committee feel no difficulty in assigning the privilege to the party which, from its own position, is farthest removed from undue influence—by its numbers, is most difficult to be corrected; which, individually, has as much, and, aggregately, infinitely more interest in the welfare of their country; and whose lack of information, if any, is amply compensated by the disinterestedness of their motives: and, in this transfer of power from the members of Congress at Washington, to the whole body of their constituents at home, it is the opinion of the committee that the state would be a gainer, instead of a loser. Still, this contingent vote for President, in the House of Representatives, is the cherished

form of a lost substance among the smaller States, and although now reduced to nothing but an idea, they may be unwilling to give it up, without receiving the benefit of some concession from the larger ones. Here, then, is room for a compromise: the door opens for one of those mutually advantageous adjustments, by help of which the Constitution was made, and without which it cannot be amended. The large States overwhelm the small ones, with the consolidated vote of the general ticket; the small States balance the great ones, with the single representative in the House of Representatives. Now, it has been shewn that this apparent power in the great States to consolidate their vote, is, in reality, the usurped power of some individuals of the State Legislatures; yet, to the small States, its effect is just the same as if the real sovereignty of the State had directed its force against them. It has also been shewn that this supposed power of the small States to balance the great ones in the House of Representatives, is, in fact, the power of the members in Congress from such States. Yet, to the large ones, the effect is just the same as if it was the power of the States. Here, then, is a grievance on each side; and, to get rid of it, and receive, in return, a great, substantial, and ardently desired concession from the other, the large States have nothing to do but to give up an abuse, and the small ones to surrender an idea.

The only direct objections to the second election by the People, (supposing the first to have been adopted,) which have come to the knowledge of the Committee, are few in number and easy of answer. The apprehension of violence in such renewed and protracted contest, is expressed by some. But if the Committee have been successful in showing that nothing of this kind is to be dreaded in the first election, the only proper inquiry now is, whether the second can produce that effect which the first could not. The Committee affirm the negative of this proposition, and appeal to that well known law in physiology which makes apathy succeed to violence the moment the crisis of excitement has passed away; and to the fact, that the number of candidates being reduced in the second contest, the peculiar causes of excitement, arising from personal acquaintance and local interests, will also be reduced in exact proportion to this reduction in the number of candidates. Instead of violence, indifference and neglect of the elective franchise is still more to be dreaded in the second than in the first election.

The delay of a second election is the last of the objections which has come to the knowledge of your Committee. This, as involving a question of mere detail, may be passed over with little more than a statement and explanation of the plan of the Committee on this point. It provides, that the first election shall be held on the first Thursday and Friday in August, 1828, and on the same days in every fourth year thereafter; that Congress shall be in session on the second Monday in October of these years, to receive and count the votes; and that the second election, when found to be necessary, shall take place on the first Thursday in December following. These provisions remove all objections relating to delay and want of time. The first election will take place at the period when the people are least engaged at home, and will have the further recommendation of taking place on the same day on which several of the States now hold their general elections, near the time at which many others hold them, and the one to which all the States would, in all probability, soon conform. An interval of about sixty days would then remain for collecting the votes in the different districts, and certifying the results to the President of the Senate; a period amply sufficient to send in the returns from the most remote States. A further interval of about sixty days would be allowed for giving notice of, and holding the second election; a sufficient time, in the opinion of the Committee, to communicate to the people the simple fact that a second election was ordered; the day itself being fixed beforehand, and the minds of the voters made up about the candidates, and the fact itself unofficially known before, the people would require no further notice, than that which would enable them to go to the polls. For this purpose, the time allowed will be twenty

days more than enough, in the remotest sections of the Union. For collecting the votes in the districts, and certifying the results a second time to the President of the Senate, three months would still remain, as the new officers would not be wanted until the fourth of March. The fact that Congress would be in session two months longer than usual in every fourth year, is an additional recommendation to the details of this plan; it being now well known that the short sessions (from the great increase of business and of members) have become too short for the accomplishment of the business on hand, some two hundred orders of the day usually remaining undecided at the last hour of these sessions, and all the time and labor lost which had been expended upon them.

The Resolution submitted by the Committee would, they confidently believe, entirely effect the great object of an election by the qualified voters of the states, upon the second, at all events, if not upon the first trial. But, as it is within the range of mere possibility, that more than two persons may have the two highest numbers, in the first election, and that two or more may have the same, and the highest number in the second, it was believed by some that the plan of amendment would not be complete, unless some provision was made for this remote contingency of a mere possibility; the Committee have therefore agreed, in such case, to leave the decision to the existing provisions of the Constitution; considering it superfluous trouble to write out any new provision for a case which will almost certainly never occur, and which may therefore, safely undergo a nominal reference to the same body which, as a real electoral college, has received their decided disapprobation.

RESOLUTION.

Proposing an amendment to the Constitution of the United States, as it respects the election of President and Vice President of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both Houses concurring, That the following amendment to the Constitution of the United States be proposed to the Legislatures of the several States, which, when ratified by the Legislatures of three-fourths of the States, shall be chosen by the People of the respective States in the manner following: Each state shall be divided, by the Legislature thereof, into districts, equal in number to the whole number of Senators and Representatives, to which such state may be entitled in the Congress of the United States; the said districts to be composed of contiguous territory, and to contain, as nearly as may be, an equal number of persons, entitled to be represented, under the Constitution, and to be laid off for the first time, immediately after the ratification of this amendment, and afterwards at the session of the Legislature next ensuing the apportionment of Representatives by the Congress of the United States; or, if deemed necessary, by the Legislature of the State; but no alteration, after the first, or after each decennial formation of districts, shall take effect, at the next ensuing election, after such alteration is made. That, on the first Tuesday succeeding Friday, in the month of August, of the year one thousand eight hundred and twenty-eight, and on the same days in every fourth year thereafter, the citizens of each State, who possess the qualifications requisite for electors of the most numerous branch of the State Legislature, shall meet within their respective districts, and vote for a President and Vice President of the United States, one of whom, at least, shall not be an inhabitant of the same state with himself; and the person receiving the greatest number of votes for President, and the one receiving the greatest number of votes for Vice President in each district, shall be held to have received one vote: which fact shall be immediately certified to the Governor of the State, to each of the Senators in Congress from such state, and to the President of the Senate. The right of affixing the places in the districts at which the elections shall be held, the manner of holding the same, and of canvassing the votes, and certifying the returns, is reserved, exclusively, to the Legislatures of the States. The Congress of the United States shall be in session on the 2d Monday in October, in the year one thousand eight hundred and twenty-eight, and on the same day in every 4th thereafter; and the President of the Senate, in the presence of the Senate and House of Representatives, shall open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for President, shall be President, if such number be equal to a majority of the whole number of votes given; but if no person have such majority, then a second election shall be held, on the first Thursday, and succeeding Friday, in the month of December, the next ensuing, between the persons having the two highest numbers, for the office of President: which second election shall be conducted, the result certified, and the votes counted, in the same manner as in the first, and the person having the greatest number of votes for President, shall be the President. But, if two or more persons shall have received the greatest, and equal number of votes, at the second election, the House of Representatives shall choose one of them for President, as is now prescribed by the Constitution. The person having the greatest number of votes for Vice President, at the first election, shall be the Vice President, if such number be equal to a majority of the whole number of votes given, and, if no person have such majority, then a second election shall take place, between the persons having the two highest numbers, on the same day that the second election is held for President; and the person having the highest number of votes for Vice President, shall be the Vice President. But, if two or more persons shall have received the greatest, and an equal number of votes, in the second election, then

the Senate shall choose one of them for Vice President, as is now provided in the Constitution. But, when a second election shall be necessary, in the case of Vice President, and not necessary in the case of President, then the Senate shall choose a Vice President, from the persons having the two highest numbers in the first election, as is now prescribed in the Constitution.

From late Foreign papers.

The amount of 500,000 francs has already been subscribed in Paris for the benefit of the family of Gen. Foy, lately deceased—and in Lyons it has been decided that a new and splendid house should be erected for their residence.

The authority at Rouen having forbidden the representation of the comedy called *The Hypocrite*, an edition of the play was published, at 5 pence the copy, 25,000 of which were immediately disposed of.

Two men entered the office of Mr. Joseph, in the Palais Royal, an eminent broker, and after stabbing him in an inhuman manner, succeeded in making their escape. This act was committed in the open glare of day, and during the most business part of it. Highway robberies, atrocious murders, and villainy of all descriptions, flourish to an alarming degree throughout France, notwithstanding the vigilance of the *gen d'armes*; of which there are 20,000 in actual service, independent of the ordinary Police department.

Rothschild.—It is stated in an Irish paper, that Baron Rothschild, can hardly write his own name. His signature to a check can only be deciphered by those acquainted—His niece received, as part of her marriage portion from him, a million of pounds sterling, with two millions to follow at fixed periods.

"The Grand Duke Constantine is tall, stout, well made, with a fair complexion; his profile is scarcely human, his nose that of a baboon; he is near sighted, contracting his eyes when looking attentively; which are covered with uncommonly large light eyebrows, hanging over them like brambles; his voice is hoarse and husky; he has a rough soldier like manner, sarcastic, yet affable."

In the Bristol market, a lady, laying her hand upon a joint of veal, said, "I think Mr. F. this veal is not quite so white as usual." "Put on your glove, madam," replied the dealer, "and you will think differently." It may be needless to remark, that the veal was ordered home without another of word objection.

The Lacedaemonians applied their minds to no learning but what was useful: and would not suffer the professors of any speculative sciences to live in their government, lest, by their disputations and empty notions they should deprave the true excellency of virtue.

THE LAST OF THE MOHICANS.

This long-expected work of the great American Novelist, has at length appeared: all fears for its author's renown have fled. The genius that first exhibited itself in the *Spy*, has re-appeared with renewed brilliancy in the work now presented to the public. We shall hereafter expect to see no more *fears expressed* that the author of the *Spy* had written his best work. *New-York Courier.*

UNITED STATES ARMY.

The Secretary of War has laid before Congress, a return of the number of deaths and Desertions that have occurred in the army of the United States during the three years, ending on the 30th of Sept. last. From this return, it appears, that in the year 1823, there were 209 deaths, and 736 desertions: In the year 1824, 210 deaths, and 824 desertions; and in the year 1825, 193 deaths, and 881 desertions—making a grand aggregate for three years of 612 deaths, and 2441 desertions. *Petersburg Repub.*

CONGRESSIONAL SUMMARY.

Washington, February 7.

In the Senate, there were reported by different Committees—a bill for the relief of James Dixon and Co. of Savannah; a bill authorizing the re-opening of King's road to New-Smyrna, in the Territory of Florida; a bill making an appropriation of \$15,000 for repairs on the road between Jefferson and Columbus, in the State of Mississippi; and a bill for the relief of the surviving officers of the revolutionary army. A resolution of the Gen. Assembly of Maryland, recommending Annapolis as a suitable place for the establishment of a Naval Academy, was presented by Mr. Smith. And two resolutions were offered, one by Mr. King, relative to an inquiry into the expediency of making an appropriation for removing the obstructions to the navigation of Mobile Harbor; and the other by Mr. Ellis, proposing an inquiry into the expediency of extinguishing Indian titles to land within the State of Mississippi.

The general appropriation went through the Committee of the whole in the House of Representatives yesterday. Mr. McLane, of Dela., made an important report on the subject of Finances, of which 3,000 additional copies were ordered to be printed; as well as another report in relation to the African Settlement, which will be found in our regular proceedings. Mr. Hemphill, of Pennsylvania, reported a

bill to authorize a survey of a route for a Canal across the Peninsula of Florida, which will also be found in another column. A great number of resolutions were introduced; among the most important of which were two offered by Mr. Talliaferro, one proposing a change in two of the Committees of the House, and the other having reference to the organization of the army. A resolution was laid on the table, by Mr. Clark, of Kentucky, on the subject of the number of Supreme Judges necessary to be present on final judgments of the Court in particular cases. A resolution was adopted, on motion of Mr. Newton, of Virginia, ordering 1000 copies of Ingersoll's Addressment for the use of the House. A resolution was laid on the table, by Mr. F. Johnson, of Kentucky, instructing the Committee on the Judiciary to report a bill repealing any law of the United States calculated to confer on the Courts of the United States, Legislative powers. Several resolutions were also introduced on the subject of public lands.

February 9.—The following resolution, offered yesterday by Mr. Macon, of N. Carolina, was taken up and agreed to:

Resolved, That the Committee to whom have been referred the several resolutions to amend the Constitution of the United States, be instructed to inquire into the expediency of diminishing or regulating the patronage of the executive of the United States; with leave to report by bill or otherwise.

On motion of Mr. Holmes, of N. C. it was

Resolved, That the Committee on Commerce be instructed to inquire into the expediency and practicability of rendering the channel of Cape Fear River navigable from the bar of said river, to the town of Wilmington, for vessels that can cross the said bar at low ebb tide; and the probable sum of money that will be required to carry into effect this desirable object.

MEXICO.

The Message of President Victoria to the General Congress of Mexico at the opening of the Session of the 1st of January, gives a gratifying view of the state of the country, which is represented as prospering under its present constitution beyond expectation. The execution of the laws had produced the happiest effects in the interior—the finances were fully adequate to the wants of the government, and the commerce of the country was in a flourishing state. In alluding to our country, the President remarks in substance as follows:

"On turning our eyes to the nations who inhabit this happy hemisphere, justice and gratitude oblige us to mention first of all the most ancient of America, and the first of the civilized world that acknowledged our rights, and the first of the American states that solemnly proclaimed and succeeded in establishing her independence. The United States of America, models of political virtue and moral rectitude, prosper under the system of a Federative Republic, which has been adopted here with enthusiasm by the spontaneous voice of the country. This form of government naturally allies us to and binds firmer our union with the country of Washington. The Minister of that nation is commissioned to form treaties, and no time will be lost in submitting such arrangements as shall be agreed upon to the deliberations of Congress."

The Paris *Courier Francaise* calculates that the reign of Constantine will be a benefit to Europe. The secondary States of Germany will be able to breathe; their yoke will be lightened. Austria is now confined to her own resources; she can no longer make Russia second her views; she cannot arm against the Continent the influence she had acquired over Alexander.

MR. JEFFERSON.

Although we knew, that Mr. Jefferson had expended both his time and fortune in promotion every measure calculated to advance the interest or honor of his country—yet, we were not aware, that his disinterested patriotism had brought him to the verge of insolvency. From the proceedings, however, of the Virginia Legislature, this appears to be the case. A bill has been introduced into that body, to allow this political Patriarch the privilege of disposing of his estate by lottery, at a fair valuation, that an equivalent may be procured for that which, if sold by the ordinary process, would be sacrificed. We presume no objection will be urged against this application, but the establishment of a precedent. But this can be no serious obstacle surely, for as in the case of Lafayette, the character and services of Mr. Jefferson, preclude the operation of the precedent. We sincerely hope, that the Legislature of our sister State will concede this poor boon, to one, of whom, with truth, it may be said, "he has lived but few years for himself—his life has been devoted to his country."

Ral. Reg.

The Duke of Saxe Weimar, returned to Mobile on the 17th ult. from Pensacola, and sailed next day for New Orleans.

Salisbury:

FEBRUARY 28, 1826.

RAIL ROADS.

It is but a few years since Rail Roads came into use; yet in England they are superseding Canals. There are, in the kingdom of Great Britain, 107 canals, while there are already about two hundred rail-roads. The aggregate length of rail-roads in that country, is estimated at 1500 miles; and in twelve months more, it is calculated they will reach 2000 miles.

A very able pamphlet, lately published on this subject, makes an estimate, that, "To transport 100 tons of goods 100 miles on canals, (paying toll,) will cost \$32—accomplished by horses in five days: to transport 100 tons 100 miles by locomotive steam-engines, on rail roads, will cost \$20 25—accomplished in 26 1/2 hours.

This subject has excited great interest among the civil engineers of England; and every estimate and demonstration, seems to result in favor of rail-roads. We are particularly desirous to bring this subject to the notice of our readers, because we view rail-ways as well calculated to suit the local circumstances of North-Carolina. The rivers of our state are, generally, not very susceptible of being rendered navigable, to any great extent, for steam-boats.

And another consideration which naturally represents the enterprise of our citizens in removing the obstructions to the navigation of our rivers, is, that many of them lead out of the state, and carry their tributes to enrich our neighbors. But were the rail-road system adopted, our commerce and trade would be concentrated at particular points within our own limits, and the profits retained at home. For example: A rail-road from Wilkesborough, by Salisbury, to Fayetteville, with one falling in from Lincolnton and Charlotte, and another from Greensborough, would concentrate the whole trade of the Western Counties at Fayetteville; and soon create, in the bosom of our state, a large commercial town. What a mighty change from the state of things as now existing, would be brought about. Our lands would be doubled, and trebled, in their value; agriculture would flourish, emigration would stop, and North-Carolina would be raised to a standing as respectable as that of any of the Atlantic states.

In our humble opinion, a well devised system of rail-roads, would contribute more than any thing else to brighten the prospects of North-Carolina. When we consider the mighty progress the system of Rail Roads is making elsewhere, we are irresistibly led to believe that, in a few years more, North-Carolina will realize some of its benefits.

NATIONAL ROAD.

It appears from the reports of the Secretary of War, and of Gen. McComb, that the reconnaissance of the routes for a National Road from Washington City to New-Orleans, will be completed in time to submit the result to Congress at its present session. The route through the seats of government, and that immediately east of, and parallel with, the mountains, were, it will be remembered, examined during the last summer; and two officers of the corps of Engineers, have just completed a view of the Western route. Great solicitude is felt in Tennessee on the subject of this last mentioned route: the legislature of that state being in session when the engineers passed along, appointed a person to travel through the state with them, and point out all the conveniences for a road in that section of country—a very unnecessary commission, we are inclined to think, on the part of Tennessee.

The report from the engineer department, plainly intimates, that, in coming to a decision on the location of the road, the advantages of the several routes will be considered, 1st, in a commercial point of view; 2d, for military purposes; 3d, for the transportation of the public mails. It will appear from this, that the principles assumed in the memorial from this place, are precisely the same as those on which the important decision will be made. And we will here remark, which we are much gratified in being able to do with truth, that Gen. Bernard, Col. Shriver, and their associates, spoke of the memorial forwarded to Washington by the citizens of Salisbury, in the most flattering terms. Commendations from such a source are not only flattering to our feelings, but plainly evince that the memorialists have rested their claims on principles that will govern in the decision of this important subject.

As it appears to be settled that a great National Road will be made from Washington City to New-Orleans, we trust that the members of Congress from North-Carolina will for once unite, and endeavor to give some of the benefits of this national work to their own state.

CONVENTION IN VIRGINIA.

The Virginia House of Delegates, on the 8th inst. refused, by a vote of 101 to 97, to reconsider their vote rejecting the bill to permit the people of that state to vote, at the next election, on the propriety of calling a Convention. Thus have the wishes of the friends of reform in Virginia, as in North-Carolina, been thwarted by an aristocratic Legislature. How those members who voted against the bill, can satisfy their constituents that they have acted like republican representatives, when a large majority of their constituents are for a Convention, is to us totally inexplicable. In fact, we cannot conceive how they can reconcile their faithlessness to the people, to a sense of moral integrity. In the common concerns of life, if a man accepts

an agency at the hands of another, and fails to fulfil what he undertakes to do, or in any way is faithless to his employer, he is deemed and taken to be a dishonest man! And what is the difference between the trust imposed upon him, and that which an agent of the people undertakes when he accepts from them the situation of representative? Is not the latter under as strong an obligation to act in good faith towards those who employ him, as the former? And is not the guilt of faithlessness as great, and as deserving of punishment, in one case as in the other? It is for the republican freemen of Virginia, and of North-Carolina, to answer.

WASHINGTON'S BIRTH DAY.

In pursuance of previous arrangements, the 22d of February (last Wednesday,) was noticed, in a very honorable manner, by the citizens of this place, and those attending on court from the adjoining country. Capt. Lemley's company of Salisbury Light Infantry Blues, paraded about one o'clock, and fired some very handsome salutes. They then marched into the court-house, where a large collection of citizens and strangers had assembled: the services there were opened by a fervent and solemn prayer, by the Rev. Dr. Freeman; after which, E. W. Maxwell, Esq. delivered a short, but eloquent and patriotic address. In the evening, a military Ball was given at Capt. Fulton's; which was the most numerous attended of any that has taken place in Salisbury for a number of years;—where all classes, and all ages, commingled, in a truly republican spirit, with buoyant and grateful feelings, to honor the name, and perpetuate the memory, of him who was "first in War, first in peace, and first in the hearts of his countrymen."

As a finale to the amusements of the week, the young Gentlemen of Salisbury had gotten up a Play, composed of the Comedy of the "Heir at Law," and the Farce of "The Wag of Windsor," which were performed on Friday Evening, the 24th inst. A very large audience attended—more numerous, perhaps, than on any similar occasion in this town. And it is due to those gentlemen who took part in the performance, to say, that the audience were agreeably disappointed—the public expectation was more than realized. It was not expected that those who were inexperienced and undisciplined in the histrionic art, could have sustained their parts with any thing like justice to the authors, or credit to themselves; but such was the merit of the performance, that the audience were involuntarily induced to pronounce it among the best acting that ever took place in Salisbury. Where all did well, it would be invidious to say that particular characters were better sustained than others: but we can do injustice to no one, by expressing a belief, that some of the characters were sustained in a manner that would not have derogated from the reputation of the most fashionable boards of the northern cities.

Large Hog.—A friend of ours, in the north part of this county, desires us to mention the fact, that a few weeks since, he slaughtered a pig, eighteen months old, which weighed, when dressed, 558 pounds.

And we will take this occasion to remark, that Pork has been very abundant, and of an excellent quality, this season; while corn is scarce and high, and sells in this town, readily, at from 62 1/2 to 75 cents per bushel. It is the opinion, however, of those who may be allowed to judge in such matters, that there is not as great a scarcity of that grain as the present high price would seem to indicate. If such be the fact, it behooves those of our farmers who have corn to sell, to visit our market, while it offers them such inducements to do so.

READING ROOM IN SALISBURY.

[CONTINUED.]

The advantages of "reading rooms" are so generally understood, that there are but few places in the United States, of the size of Salisbury, which have them not. Some of these advantages are,

1st. That each subscriber for a small sum, can have the free use of many Newspapers and periodical works. For example: Suppose there are 50 subscribers, at \$5 each, the whole amount will be \$250; each subscriber, then, for \$5, will have the use of as many papers and other works, as can be procured for \$250.

2d. In reading rooms, the papers are all carefully filed and preserved, and at the end of the year are worth nearly the original cost; they can be bound up, and preserved the same as books.

3d. The reading room becomes the central resort for the reading part of the community; and in this way, will not only be a means of mental improvement, but will promote social feelings and friendly intercourse.

There are still other advantages, which, under proper regulations, always follow the establishment of reading rooms. The object of these remarks is to call, in a more particular manner, the attention of the citizens of Salisbury to the subject. In the town of Salisbury, there are a number of Lawyers, several Physicians, three Divines, students of law and medicine, and a number of respectable mechanics, who read papers and books, besides a still larger number of merchants,—and yet, in the place, there is no reading room!

It is confidently believed, that it is only necessary for some person to move in the business, in order to accomplish the establishment of a very respectable reading-room in our town. Besides the advantages already mentioned, it may be added, that the character of the place requires that we should have such an establishment. Let it, therefore, be hoped, that in a short time, we will have in our town a respectable reading-room, of newspapers from every section of the Union, and of the best periodical works in the country.

A Citizen of Salisbury.

FAYETTEVILLE PRICES, Feb. 13.

Cotton, 11 a 11 1/2; flour, fine, scarce, 53, superfine, 6; wheat, \$1 a 1 23; whiskey, 40 to 42; peach brandy, 50 a 60; apple do. 60; corn, 80 to 90; bacon, 73; salt, Turkeys Island, 70 a 75 per bush.; molasses, 35 35; sugar, muscovado, 10 a 11; coffee, prime green, 20 21; 2d and 3d quality, 17 a 18; tea, hyson, \$1 20 a 1 30; flaxseed, 75; tallow, 10; beeswax, 30 a 32; rice 350 to 4 per 100 lbs.; iron, 5 1/2 a 6, pr. 100 lb.; tobacco, leaf, 5 a 6; manufactured, 5 a 20 pr. cwt. Observer.

CHARLESTON, FEBRUARY 13.

Cottons.—Six or seven hundred bales of Sea-Island Cottons were landed during the week, but we believe there have been no sales. Some Santees have gone off at from 30 to 33 cents.—The business in Uplands has not been heavy, and at a decline, in some instances of half a cent in the pound. We quote them at 12 to 13 cents—fancy lots go a little higher.

Up Saturday's Mail.

For the want of space, we can only give a very few items, received by Saturday's mail.

It is rumored, that, should the Judiciary bill pass the Senate of the U. S., and become a law, Mr. McLean is to be appointed, one of the Judges, and Mr. Taylor, of New-York, now Speaker of the House of Representatives, will receive the situation of Postmaster General.

WAR IN THE SOUTH.

The brig Navarre, arrived at Philadelphia on Sunday, from Rio Janeiro, whence she sailed on the 20th Dec. bringing full confirmation of the rumor that war had actually commenced between the Brazilian empire and the republic of Buenos Ayres, a declaration of war having been issued by his Brazilian majesty, previous to the sailing of the Navarre. A great number of privateers were on the coast of Brazil from Buenos Ayres, and had made several captures.

By an arrival at New-York, European dates to the 4th January have been received.

The money market was becoming better. Of about seventy banking establishments in England, five had already resumed payment. The late shock had extended to Ireland, where several failures had occurred.

The oath of allegiance to Constantine, the new Emperor of Russia, was administered to the members of the Russian legation, and the principal Russian Citizens in London.

Paris, Dec. 28.—By letters of the 12th from Warsaw, it was known that the Emperor Constantine was still in that city. Upon learning the news of his brother's death, his Majesty shut himself up in his apartment, and refused to see any one but his Consort for 36 hours.

Tailoring.

SILAS TEMPLETON,

RESPECTFULLY informs his friends, and the public at large, that he has commenced the

Tailoring Business,

in the town of Salisbury, on Main street, in the house formerly occupied by Messrs. Kyles and Meenan as a Store, immediately between the Post Office and Mr. Geo. W. Brown's Store, and very convenient to all the stores in town; where he is prepared to execute all descriptions of work in his line of business, on the shortest notice, and in a style not inferior, as regards durability and taste, to any that can be executed in this or the adjoining states. Having just received the latest fashions from Mr. Allen Ward, of the City of Philadelphia, accompanied by drafts, plates, and figures, with all the colors now in vogue represented, he feels assured he will be able to suit the taste and fancy of any gentleman. The patronage of the public is respectfully solicited: those who have heretofore encouraged the subscriber, he hopes will continue their favors; and all who wish substantial and fashionable work done, are invited to give him a trial.

Dissolution.

The co-partnership heretofore existing between the subscribers, under the firm of Revell and Templeton, is this day dissolved, by mutual consent.

MARTIN F. REVELL,
SILAS TEMPLETON.

Salisbury, Feb. 20, 1826.

Public Sale.

WILL be sold, at public sale, on the 16th and 17th of March next, on the premises owned and occupied by the late Alexander Smoot, dec'd, in the Forks of the Yadkin, Rowan county, N. C. various articles of Farming utensils, stock, &c. some part of which consists of

Horses, cows, sheep, hogs, &c.

Also, a Still and Tubs. Also, several Negroes will be hired out on the same days, till next Christmas. Terms of sale, &c. will be made known on that day, by

ALEXANDER SMOOT,

Adm'r. with Will annexed.

N. B. All persons having claims against said estate, are requested to bring forward their accounts, properly authenticated for settlement; and all persons indebted, will please make payment, without delay. ALEX. SMOOT, Adm'r.

A Valuable Plantation FOR SALE.

THE subscriber offers for sale the plantation whereon Thos. Snoddy, Esq. formerly lived, in the county of Iredell, N. C. living on Elk Shoal Creek, containing something over 700 acres, of as good a quality as any, without exception, in the upper part of said county. There is on it, a good dwelling-house and Kitchen, a large new barn, with other necessary buildings. The purchaser may have a reasonable credit, by giving approved obligations for the payment. It is not deemed necessary to give any further description of the land, as the purchaser would, no doubt, wish to view it before buying. For further particulars, apply to the subscriber, at the post-office at Wilford's mills, Lincoln county, N. C.

JOHN WILFONG, Secy.

Feb. 15, 1826.

Estate of Dr. J. Hall, dec'd.

ALL persons indebted to the estate of Dr. J. Hall, of Rowan county, dec'd, are desired to make payment without delay, to the administrator, as no further indulgence can be given; and such persons as have demands against said estate, are requested to present their accounts, properly authenticated, for settlement. As the administrator wishes to make a settlement of the estate, as speedily as possible, it is hoped all persons concerned will pay immediate attention to this notice. Apply to the subscriber, 9 miles north of Salisbury, on the South Yadkin river.

JOSEPH HALL, Adm'r.

Feb. 25th, 1826.

MARTIN F. REVELL, Tailor.

RESPECTFULLY informs the citizens of Salisbury and vicinity, that he is prepared to do all kinds of

Tailoring,

in the most neat, fashionable and durable style, and at the shortest notice. His business will be conducted in the well known new Shop, on Main street, very recently occupied by Revell & Templeton. He has the latest fashions of the Northern Cities, and will continue to receive them in their regular seasons.

M. F. R. feels grateful to the people of this part of the country, for their liberal encouragement since his appearance among them; and hopes they have not yet, nor will have, any reason to withdraw their patronage. Orders from any distance will be promptly attended to. Country produce will be taken in payment for work.

Salisbury, Feb. 21, 1826.

THE FINE YOUNG HORSE AERONAUT,

DESCENDED from the most renowned stock of Horses ever bred in England and America, will stand the ensuing season at my stable, in Rowan County, ten miles North East from Salisbury, at twenty dollars the season, payable by sixteen dollars if paid within the season; ten dollars (cash) the single leap; and thirty dollars to insure a mare to be with foal, provided the property of the mare is not changed,—but no liability for accidents can be admitted.

Aeronaut will be five years old next spring; is greatly improved since the last season, in size, grandeur, symmetry and elegance, being now sixteen hands high, remarkably heavy made, and yet so constructed as to exhibit the finest action. His constitution is not only sound, but of the most healthy, vigorous and durable cast, calculated to endure the greatest exercise without failure. He is a fine mahogany bay, the color most highly esteemed by the greatest judges on the subject, and free from all blemish or imperfection.

Aeronaut was gotten by the celebrated imported horse Eagle; his dam by the imported horse Dion; grandam by Expectation, one of the best sons of the imported horse Diomedes, out of a Medley mare, &c. Expectation was the favorite horse of his day in North-Carolina, having beaten Bullock, Molly Long-legs, &c. The celebrated horse Eclipse and Highflyer, of England, were both his great-grandsons; and the famous horse Flying Childers, considered the fleetest horse ever known in England, or perhaps in the world, was the granddame of Eclipse. Aeronaut will be shown at the terms of the Superior Courts in Salisbury, Statesville, and Lexington; where gentlemen disposed to view him, can decide for themselves whether he is not the finest young horse ever produced in this state. He will be found regularly at his station, except when taken to be shown at public places. His pedigree and reputation, will be further illustrated in handbills, at the commencement of the season.

Feb. 23, 1826. ROBERT MOORE.

Well Inn.

HIRAM MADAMS

RETURNS his undigned thanks to his friends and customers for past favors, and solicits a continuance of their patronage.

He takes this method of informing the public, that he has removed to that well known house, at the corner of Broad and York streets, formerly occupied as an Inn by Welsh & Smith. His house has undergone a thorough repair, where he is now ready to accommodate all who may favor him with a call.

His stables are well supplied with provender, and attended by careful and honest ostlers. Camden, Jan. 28, 1826. 3042

Vendue.

THERE will be sold, on Monday, the 13th of March next, and if not all sold on that day, will continue from day to day until all is sold, at the house of John Butler, dec'd, 6 1/2 miles east of Salisbury; Horses, Cattle, Hogs, Sheep, 2 Stills, Wagon and Geers, 3 or 400 bushels of Corn, nine bales of Cotton, and sundry other articles, too numerous to mention. At the same time, will be hired, 5 negroes, to 1st of January next. All to be at a credit of 12 months, the purchaser or hirer giving bond with approved security, before the property is delivered. Where due attendance will be given, by the Administrator.

N. B. All persons having claims against said estate, are requested to present them on the day of sale; also, all persons indebted to the estate are earnestly requested to make payment on the day of sale, otherwise give bonds, with approved security. PETER KERN, Adm'r.

Feb. 21, 1826. 3093

Rowan Agricultural Society.

BY the constitution of the society, its 3d annual or spring meeting, takes place on the last Thursday of March, which is the 30th day of that month. The meeting will be held in the Court-House, precisely at the hour of 11 o'clock. It is earnestly hoped, that all the members who have the success of the society at heart, will punctually attend. The Farmers of Rowan, are generally invited to come forward on the occasion, and join an institution, which has in view the improvement of the farming interest. JNO. BEARD, jun. Secy.

Feb. 1st, 1816. 6103

NEW STORE.

GEORGE W. BROWN,

RESPECTFULLY informs his friends, and the public in general, that he is now receiving, from New York and Philadelphia, a choice and handsome assortment of

Dry Goods, Hardware, &c.

which he intends selling at a small profit, FOR CASH ONLY. Persons wishing to purchase, will please call, examine, and judge for themselves. Salisbury, Nov. 1st, 1825. 82

Hillsboro' Female Seminary.

THE second session of this Institution commenced on the 12th inst. and the superintendant takes pleasure in informing Parents and Guardians at a distance, that he is at present assisted by a Gentleman and Lady of the most undoubted qualifications. He can, therefore, with confidence, recommend the school to the attention of the public, and engage that no exertion shall be spared to give to it a permanent and useful character.

WM. M. GREEN, Superintendant.

January 25th, 1826. 40

The Farmer.

THE RURAL MIND.

What happiness the rural maid attends,
In cheerful labour while each day she spends!
She gratefully receives what Heaven has sent,
And, rich in poverty, enjoys content.
(Such happiness, and such unblemish'd fame,
Ne'er glad the bosom of the courtly dame.)
She never feels the spleen's imagin'd pains,
Nor melancholy stagnates in her veins;
She never loses life in thoughtless ease,
Nor on the velvet couch invites disease;
Her home-spun dress in simple neatness lies,
And for no glaring equipage she sighs;
Her reputation, which is all her boast,
In a malicious visit ne'er was lost;
No midnight masquerade her beauty wears,
And health, no paint, the fading bloom repairs.
If love's soft passion in her bosom reigns,
An equal passion warms her happy swain;
No homebred jars her quiet state controul,
Nor watchful jealousy torments her soul;
With secret joy she sees her little race
Hang on her breast, and her small cottage grace;
The fleecy ball their busy fingers cull,
Or from the spindle draw the lengthening wool:
Thus flow her hours with constant peace of mind,
Tillage the latest thread of life unwind.

FEMALE WORTH.

Internal worth upon thy cheek bestows
A rose's beauty, tho' no rose be there;
A heart which breaks almost to be rebuk'd,
A mind inform'd yet fearful to be seen,
Kept by a tongue which never but at home,
And cautious then, its golden trust betrays.
These are thy charms; and they are charms for me,
And in my eye as sweet a grace bestow,
As matchless beauty trick'd in airy smiles,
And suit of fantasy. And these shall last
As morning fair, and fresh as amaranth,
When all thy triumphs, Beauty, are no more.

MY ROSE, MY RING, MY BRAID OF HAIR.

I would not give this rose I hold,
For a bright claim of burnish'd gold;
No, not for diamonds, richer far
In brilliance than yon brilliant star;
For oh, it is the pledge of love—
Of trembling, dear delightful love;
And it will deck my hair so gay,
When new year comes, my wedding day.
I would not give this ring I wear,
For crowns of jewels, rich and rare;
No, not for all the lands between
St. Mary's and our village green;
For this too is the pledge of love—
Of fervent, fond, devoted love;
And it shall deck my hand so gay,
When new year brings my wedding day.
I would not give this braid of hair,
For all the gems that monarchs wear,
No, not if it would purchase all
That blooms in glory's coronal;
For this too is the gift of love—
Of tender, youthful, constant love;
And oh! how shall I love to wear,
My rose, my ring, and braid of hair.

DIGGING POTATOES.

A soldier on furlough, and just convalescent,
Sought a job to supply him with cash for the present;
And promised a farmer to dig up a patch
Of potatoes with faithfulness, care, and despatch.
A bottle of whiskey his spirits to stir,
Was given to him as a sort of a spur;
Which bottle with many a soporific,
He emptied, and left the potatoes little folk.
While he with some difficulty held by a stump,
Solving it off with a stammering thump.
Some hours had elapsed; his employer returned,
And said, while his horse indolently snored,
"You indolent rascal!—you slave of the jug!
Not a single potato, you see, have you dug!"
"Potatoes!" said Bob, with a stammering tongue;
"If you want your potatoes dug, fetch 'em along!"

On the Marriage of Mr. GUNN to Miss BELL.
The arms of Cupid are but feathered darts,
Shot from his plant bow at youthful hearts;
But, ah! what fate awaits us, lovers, all,
When *Eumen* holds a gun, well loaded with a BELL.

MISCELLANEOUS.

NEW DISCOVERY.

Mr. Frederick Schmidt, of Stuttgart, has discovered an oil for chronometers and such like fine work, which will not freeze at minus 17 of Fahrenheit's thermometer—does not dry at 212: and boils at 512.

SUGAR FROM BEETS.

The manufacture of Sugar from Beets, first commenced in France under Napoleon, when a supply of the West India article was cut off by the British fleets, appears to be on the increase. It is even said that a sufficient quantity will be manufactured for the consumption of the whole kingdom. The sugar from beets is said to be the same with that from the cane. Marshall the Duke of Ragusa, presented at the last exhibition of the French Society for encouraging national industry, may fine loaves of sugar made from beets at the factory in Chastillon. A Mr. Caesvel owns a factory at Arras, where he made in 1822 about 280,000 pounds of sugar from this vegetable, by an excellent process, which he communicates freely to all who wish to be informed on the subject. He obtains from 10 parts of beets 3 parts of sugar, and 4 of molasses. One hectare of land, (2 1-2 acres) planted with beets, gave him 3000 pounds of sugar, or 1200 pounds per acre. Mr. de Beaujeu, of Bellon, (Orne) has simplified the fabrication of this sugar in such a manner, that it may be made in common families. A factory is established at Pont a Mousson, (Meurthe) by Messrs Masson and Andre.

THE NAVY.

A writer in the Boston Patriot speaks well on the propriety of having a higher rank in the navy than that of Captain. To the want of it he attributes many of the feuds that have existed in this arm of the national defence; and says, that "Captains can seldom be efficiently commanded by Captains." There is, no doubt, much justice in the remark; and we beg leave to think that the Navy would be better regulated if the grade of Admiral and Commodore were created and established by law. One Admiral and three or four Commodores, might be all at present required, and the additional expense would be very trifling indeed. There is now one ship of the line, two frigates, and two sloops of war, with somewhat more than two thousand men, under the command of Captain Rodgers, and it is unpleasant and mortifying that he should be out ranked in the ports he may visit, by younger officers in the service of other powers, and with a much inferior command. *Niles' Register.*

PUBLIC LANDS.

By a statement recently laid before Congress, it appears that the aggregate quantity of public lands surveyed at the various land offices, from their institution to the 30th of June last, is, 119,538,463 acres! of which 17,949,160 acres only have been sold, leaving the immense quantity of 101,538,302 acres yet to be disposed of!

The Brooklyn (L. I.) Patriot states, that the counterfeiters lately committed to the goal in Flatbush, (New-York) have escaped thro' the wooden bars and doors, and left the bailiwick of their vigilant Sheriff. The Patriot says, the criminals are treated with great kindness and humanity at that prison. The jailor being, we presume, too much of a republican to countenance oppression in any shape, much less deprivation of liberty; allows them to go in and out of goal at their pleasure—sends them of errands, &c. and it sometimes happens, as in the above case, that the ungrateful fellows stay out too long.

PLAIN DEALING.

Mr. McLean, the Postmaster General, is remarkably prompt in correcting and preventing abuses in his department.—Mr. Isaiah Bunce had for several years been employed as an assistant to the Postmaster in Litchfield, Connecticut, with the expectation of succeeding him on his resignation or removal from office. A few months since, the office became vacant, but Mr. B. was not selected to fill it, and in the first moments of disappointment, he addressed a complaining letter to Mr. McLean: The following is Mr. McLean's reply:

"The allegations against you are numerous and strong, and are chiefly these: That you cannot write or read well enough; are not a safe accountant; have been guilty of the grossest negligence in not delivering letters when called for; a negligence always inconvenient, and often attended with injury; deliver letters frequently to persons for whom they were not intended, and suffer them to be taken away; fail to send letters and packets by the mail in proper time; sometimes send off the mail without putting into it any letters or packets that had been lodged at your office; reverse the destination of letters, and send them back to the places from whence they came; have no sense to discover the error after the letters have been repeatedly returned; make frequent and gross mistakes in the bills forwarded to other offices; open packages addressed to other offices; when a mail is called for by the postmaster of the neighboring office, hand out any, right or wrong; disobey the regulations respecting dead newspapers, appropriate half a dozen of them for two or three years to your own use, and resort to the miserable speculation of selling them for wrapping paper; fill up a circulating library with periodical works obtained in this way; are uncourteous in your behaviour; odious to the population; heap error upon error, and avail yourself of these errors in order to supplant your employer; have been tried by the vicinage, and found wanting; and to sum up, they charge you with want of principle and capacity.

Respectfully, your obedient,

JOHN McLEAN.

The following impromptu, by St. John Honeywood, on reading an order from a city corporation for killing all the dogs, may suit some of our readers.

'Tis done! The dreadful sentence is decreed!
The law is made, and all the dogs must bleed.
Ah me! what boots it that the dogs are slain,
Since the whole race of puppies yet remain?

CURE FOR LADIES RHEUMATISM.

Take a good warm double Scotch Shawl, and apply it immediately round the shoulders & chest, add also, *secundum artem*, a stout Welch Flannel Petticoat. And remain at home long enough to put them on.

Phocion was preferred before Demosthenes, in that he always filled his speeches with substantial matter. He was sparing of rhetoric, and full of reason.

Great Bargain.

THE subscriber having purchased a farm in Iredell county, offers for sale the valuable and well known tract of Land where he now lives, almost immediately between Mocksville and Huntsville, in the county of Rowan, called the Goodspring Grove, containing 500 acres, of which about 250 is now cleared, and in cultivation. The land is not inferior to any in the county; it produces corn, cotton, tobacco, and small grain in abundance: 50 or 60 acres, is most excellent low grounds: there is on it, a good mill-seat, an excellent dwelling house just finished, and other necessary out-houses. There will be sold, should it suit the purchaser, 300 acres more, adjoining the above, about 50 acres cleared, most excellent water on it, and equal to any land in the Forks. Both tracts are well watered. I will take, in part, several likely Negro Girls. Possession given next fall.

If the above property is not disposed of at private sale, will be sold to the highest bidder, on the 1st day of September, 1826. Terms made to suit purchasers. It is deemed unnecessary to give any further description of the property, as those desirous of purchasing, will doubtless wish to examine the premises before closing any contract. JOHN A. CHAFFIN. Jan. 23d, 1826. t25

New Leather, New Fashions!

EBENEZER DICKSON again tenders his unfeigned thanks to those who have patronized him, and begs leave to inform them and all others concerned, that he has just received, from Philadelphia, a

New Supply of Leather, and new Lasts and Boot Trees; which will enable him, by his own faithful attention to his shop, and the employment of the best of workmen besides, to make and mend every description of

Boots and Shoes, of a good material, in as fashionable a style, and workmanlike manner, as any in the United States. He has received a supply of first rate Seal-Skins; from which he will be able to make most superb light Boots and Pumps for gentlemen. He respectfully asks

New Customers to try him, And Old ones to stick by him. Call at the sign of the big BOOT, opposite Mr. Slaughter's house of entertainment, Main street, Salisbury, N. C. Dec. 3d, 1825. 88

Tailoring.

THOMAS V. CANON,

RESPECTFULLY informs the fashionable part of the community, and all such as wish to have business done in his line, that, finding the village of Concord a more central situation, he has removed thither; where he has a spacious shop, and has increased the number of his workmen, and is prepared to execute work, which, in point of elegance and durability, will compete with any thing of the kind to be seen in this country. Travellers or others, wishing clothes made at short warning, can be accommodated with a full suit in 36 hours. T. V. C. is agent for A. Ward of Philadelphia, in selling patents, and giving instructions in cutting according to Ward's patent protractor system. Any person wishing to become subscriber to the Philadelphia fashions, will please to call at his stand. 310 Concord, Cabarrus co. Jan. 22d, 1826.

Estate of M. Pinkston, sen.

ALL persons indebted to the estate of the late M. Mesback Pinkston, sen. dec. are notified to make payment without delay; and all persons having claims against the estate, will present them within the time prescribed by law, or this notice will be plead in bar of their recovery. The executors are desirous of closing their administration as soon as possible; therefore all persons concerned would do well to pay immediate attention to this notice.

JESSE PINKSTON, } Ex'rs.
MESBACK PINKSTON, }
Dec. 30, 1825. 92

Estate of John P. Hodgens.

THE subscriber having qualified as administrator on the estate of the late John P. Hodgens, dec. desires all persons indebted to said estate, to come forward and make settlement; and all those having claims against said estate, will present them for settlement, properly authenticated, otherwise this notice will be plead in bar of their recovery.

MESBACK PINKSTON, adm'r.
Nov. 21, 1825. 93

Estate of Alex. Long, decd.

THE subscriber having qualified as executor of the last will of Alexander Long, late of Rowan county, dec'd. at the court of pleas and quarter sessions for the said county, held on the third Monday of November last, notice is hereby given, that all persons having demands against the said estate, are required to present them for payment, within the time prescribed by law.

JAMES I. LONG, Ex'r.
Dec. 24, 1824. 43

Fifty Dollars Reward.

RANAWAY from the subscriber, on the night of the 28th day of November last, his negro man, known by the name of BILL, aged about 45 years, and near about six feet high; no particular marks recollected; has rather a yellow complexion; sound teeth, the foreteeth rather inclined to be black, occasioned by chewing tobacco; has a very brazen saucy countenance; when spoken to, speaks in a very impolite, abrupt manner; very slim legs, and long hollow feet for the color. He carried off four full suits, two hats, two pair of shoes, one superfine black broad-cloth coat; one great coat of the very best quality, lined with new red flannel; between 40 and 50 dollars, about \$30 specie. I expect that he has aimed for Tennessee state, Carroll county. It is highly probable he has obtained a free pass, from some person or persons, and intends passing as a free man. I will give the above reward if he is taken out of this state and confined in some jail, so that I get him again. NEHEMIAH HEARN, Montgomery county, N. C. 3mt06 Jan'y. 18, 1826.

Notice.

ALL persons indebted to the firm of West & Brown, are invited to come forward and make settlement with them, as they wish to close their books. WEST & BROWN. Salisbury, July 12, 1826. 94

Education.

THE subscribers having engaged Mr. M. O'Reilly to take charge of a SCHOOL, beg leave to inform those who may be disposed to educate their children, that the school will be opened on the 1st of March. Boarding can be had on reasonable terms, and a few scholars taken in. Mr. O'Reilly is highly recommended for moral character, and as being well qualified to teach the English, Latin, and Greek Languages; and we feel confident will give satisfaction to such as may entrust their children to his charge. The situation is healthy, being within one mile and a half of Beatties Ford, and within three miles of the Catawba Springs, in Lincoln county.

ROBERT ABERNATHY,
A. M. BURTON,
ROBERT H. BURTON.
Feb. 1st, 1826. 3t0

Great Bargains.

THE subscriber offers for sale his Houses and Lots in Statesville, either with or without his Bedding and other Household Furniture, and with or without all his House servants. Several tracts of Land, the whole amounting to between 1500 and 2000 acres, adjoining the town lands of Statesville; or any part thereof, to suit purchasers.

The lands in Centre, known by the name of the White House tract, and those adjoining; in the whole about 1200 acres. Also, my interest in several other tracts, all joining the former. A great number of other tracts of land, lying in different parts of the county of Iredell. All the remainder of my negroes, 27 in number. Cash will be required for the whole price of the Negroes; all the other property will be disposed of at once, two, and three years credit. It is deemed useless to describe the property more particularly, as the purchasers will wish to view it before they buy. 67 July 13, 1825. ROBERT WORKB.

Dissolution.

THE copartnership heretofore existing under the firm of West & Brown, is this day dissolved by mutual consent.

Nathan Brown having taken the stand lately occupied under the firm of West & Brown, returns his sincere thanks to the public in general, for their liberal encouragement; and begs leave to inform them that he still continues to make and repair, on the shortest notice, and in the most workmanlike manner, all kinds of Carriages, Gigs, Sulkeys, &c. and hopes, by strict attention to business, still to merit a share of public patronage. Salisbury, Dec. 30, 1825. 91

Notice.

I Forewarn any person trading for a note of hand, executed by the subscriber, to John Hughes, for the sum of ninety-five dollars, dated some time in last December, the date not recollected; as the note was obtained fraudulently, I am determined not to pay it, &c.

JOHN MCMAIN.
January 28, 1826. 499

UNITED STATES LAWS.

An act making appropriations for the payment of the Revolutionary and other Pensioners of the United States.

Be it enacted by the Senate and House of Representatives of the United States of North America, in Congress assembled, That the following sums be, and they are, hereby, respectively appropriated towards the military service of the year one thousand eight hundred and twenty-six, and for the objects following, that is to say: For the pensions to the Revolutionary Pensioners of the United States, one million three hundred and fifty-two thousand seven hundred and ninety dollars.

For the invalid and half pay pensioners, in addition to an unexpended balance of one hundred and fifty thousand dollars, sixty-seven thousand five hundred dollars.

For pensions to the widows and orphans, twelve thousand dollars.

Sec. 2. And be it further enacted, That the said sums, respectively, shall be paid out of any money in the Treasury not otherwise appropriated.

JOHN W. TAYLOR,
Speaker of the House of Representatives
JOHN C. CALHOUN,
Vice-President of the United States and President of the Senate.
Approved—January 18, 1826.

JOHN QUINCY ADAMS.

An act for altering the time of holding the District Court in the Northern District of New-York.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the next term of the District Court of the United States for the Northern District of New-York, the term directed by law to be held at Albany, on the last Tuesday in January, shall instead thereof, be held at Albany on the third Tuesday in January in each year thereafter.

Approved, Feb. 1, 1826.

An Act to revive and continue in force, an act, entitled, "An act fixing the compensations of the Secretary of the Senate and Clerk of the House of Representatives, of the Clerks in their offices, and of the Librarian."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of the Governor and Legislative Council of the Territory of Florida, entitled, "An act concerning wreckers and wrecked property," approved by the Governor the fourth day of July, one thousand eight hundred and twenty-three, be and the same is hereby disapproved and declared null and void. Approved, Feb. 1, 1826.

An act to annual "An act concerning wreckers and wrecked property," passed by the Governor and Legislative Council of the Territory of Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of the Governor and Legislative Council of the Territory of Florida, entitled, "An act concerning wreckers and wrecked property," approved by the Governor the fourth day of July, one thousand eight hundred and twenty-three, be and the same is hereby disapproved and declared null and void. Approved, Feb. 1, 1826.

House to Rent.

THE House and Lot in the town of Salisbury, lately occupied by Mr. George Locke, and formerly by Alexander Frohock, dec'd. is now to rent. Apply in Salisbury, to 85 Nov. 14, 1825. ALFRED MACAY.

State of North Carolina, Iredell county:

COURT of pleas and quarter sessions, November term, 1825; John Stewart vs. the heirs at Law of William Stewart, dec'd; scire facias, to show cause why the lands of the dec'd. should not be sold, to satisfy the plaintiff's judgment. It appearing to the satisfaction of the court, that Isham Dykes and his wife Matilda, defendants in this suit, are not inhabitants of this State, it is therefore ordered, that publication be made for three months in the Western Carolinian, that unless the defendants appear at the next term of this court, to be held at the court-house in Statesville, on the third Monday of February next, the court will proceed to judgment, as to them, ex parte.

Test: R. SIMONTON, Ck. Price adv. \$4 3mt03

State of North-Carolina, Davidson county:

COURT of Equity, October term, 1825: Rachel Bates and John Kent, vs. Mariah Whitaker, Betsey Williams, Jesse Crabtree and Cealy his wife; Petition for sale of the lands of John Kent, sen. deceased. It appearing to the satisfaction of the court, that Mariah Whitaker, Betsey Williams, Jesse Crabtree and Cealy his wife, part of the heirs at law of John Kent, sen. dec'd. do not live within the limits of this state; it is therefore ordered, that publication be made in the Western Carolinian, printed at Salisbury, for six weeks successively, that they appear at the next Superior Court of Law and Equity, to be held for the county of Davidson, at the court-house in Lexington, on the second Monday after the fourth Monday in March next, and show cause, if any they have, why the land mentioned in the petition should not be sold, to their and the petitioner's benefit, otherwise the petition will be taken pro confesso, and the cause heard ex parte. Witness Edwin Paschalle, Clerk and Master in Equity, for Davidson county, at office, the 2nd Monday after the 4th Monday in September, 1825. 601 EDWIN PASCHALLE, c. n. r.

State of North-Carolina, Iredell county:

COURT of Pleas and Quarter Sessions, Nov. term, 1825: Moses Justice vs. Burwell Barker; original attachment, returned levied on land. It appearing to the satisfaction of the court, that the defendant, Burwell Barker, is not an inhabitant of this state, it is therefore ordered that publication be made for three months in the Western Carolinian, that unless the defendant appear at the next term of this court, to be held at the court-house in Statesville, on the third Monday of February next, and replevy the property levied on, and plead, the plaintiff will be heard ex parte and have judgment pro confesso.

Test: R. SIMONTON, Ck. Price adv. \$4 3mt05

State of North-Carolina, Cabarrus county:

SUPERIOR Court of Law, Fall term, 1825; Catharine Goodman vs. Caleb Goodman; petition for divorce. It appearing to the satisfaction of the court, that the defendant is not an inhabitant of this state, Ordered, that publication be made for three months in the Western Carolinian and Catawba Journal, notifying said defendant, that unless he appear at the next Superior Court of Law to be held for the county of Cabarrus, at the Court House in Concord, on the 6th Monday after the 4th in March next, and plead, answer, or demur to said petition, judgment pro confesso will be taken against him and it will be heard ex parte. 3mt99

Price adv. \$4 JAS. G. SPEARS, Ck.

State of North-Carolina, Cabarrus county:

JANUARY session, 1826: Leonard Hagler, Charles Hagler, John Hagler, John Long and Barbary his wife, William Anderson and Mary his wife, Jacob Drey and Catharine his wife, Elizabeth and Peter Hagler, vs. Henry File and Molly his wife; Petition for Partition. It appearing to the satisfaction of the court, that the defendants in this case are not inhabitants of this state, ordered, therefore, that publication be made six weeks in the Western Carolinian, giving notice to said defendants to appear at our next court of pleas and quarter sessions to be held for the county of Cabarrus, at the court-house in Concord, on the 3d Monday of April next, then and there to plead, answer, or demur, or the petition will be heard ex parte, and judgment awarded accordingly.

DANIEL COLEMAN, c. c. Concord, Jan'y. 23d, 1825. 601

State of North-Carolina, Montgomery county:

COURT of Pleas and Quarter Sessions, Jan. term, 1826: John B. & F. Martin vs. Moses Gibson and Dixon Gibson; attachment levied on land. Ordered by the court, that publication be made in the Western Carolinian for six weeks, that unless the defendants appear at the next county court, to be held for the county of Montgomery, at the court house in Lawrenceville, on the first Monday in April next, replevy or plead, judgment will be entered for the amount of the plaintiff's demand, and a decree of condemnation made.

603 Test: J. B. MARTIN, Ck.

State of North-Carolina, Iredell county:

COURT of Equity: Joseph Byars and James Kerr, vs. Alfred D. Kerr and William Kerr; original bill, for the conveyance of land. It appearing to the satisfaction of the court, that William Kerr, one of the defendants in this cause, lives beyond the limits of this state, it is therefore ordered, by the court, that publication be made for six weeks successively in the Western Carolinian, that unless he the said William Kerr appear at our next court to be held for the county of Iredell, at the court-house in Statesville, on the fifth Monday after the fourth Monday in March next, then and there to plead, answer, or demur, otherwise judgment will be taken pro confesso, as to him, and the case heard ex parte.

602 JOHN N. HART, c. n. r. e.

State of North-Carolina, Stokes county:

COURT of Pleas and Quarter Sessions, Dec. term, 1825: John Webb, vs. Edmund Beazly; original attachment, returned levied on two thousand four hundred and seventy-eight acres of land, in different tracts. In this case, it is ordered by the court, that publication be made for six weeks in the Western Carolinian, that unless the defendant appear at the next court of Pleas and Quarter Sessions, to be held for the county of Stokes, at the court-house in Germantown, on the 2nd Monday of March next, replevy the property levied on, and plead, the plaintiff will be heard ex parte, and have judgment rendered in his favor, pro confesso.

602 Test: MATT. E. MOORE, c. c.

Lost Pocket Book.

AN old red morocco pocket-book has been left with the editor of this paper, to deliver to the owner, whosoever he may be, on payment of the charge of advertising. It contains some papers of value to the owner. 93 January 9, 1826.